

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

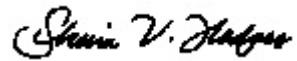
John T. Alston,)	C/A No.: 1:11-1566-TLW-SVH
)	
Plaintiff,)	
)	
vs.)	
)	REPORT AND RECOMMENDATION
Tire Kingdom, TBC Retail Group, and)	
Steve Hinkle,)	
)	
Defendants.)	
)	

Plaintiff, proceeding pro se and in forma pauperis, brought this action alleging racial discrimination during his employment with defendant Tire Kingdom. Defendants filed a motion to dismiss on October 10, 2011. [Entry #15]. As Plaintiff is proceeding *pro se*, the court entered an order on October 20, 2011, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of a motion to dismiss and of the need for him to file an adequate response. [Entry #19]. Plaintiff was specifically advised that if he failed to respond adequately, Defendants' motion may be granted, thereby ending this case. Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff failed to respond to the motion.

On December 15, 2011, the court ordered Plaintiff to advise whether he wished to continue with the case by January 3, 2012. [Entry #24]. Plaintiff has filed no response. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, the undersigned recommends this action be

dismissed with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO RECOMMENDED.



January 9, 2012
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge